

On motion of Senator Flanagan the Senate adjourned to 9:30 A. M. to-morrow by the following vote:

Yeas—Senators Baker, Broughton, Dillard, Dohoney, Evans, Ford, Flanagan, Gaines, Hall, Latimer, Rawson and Swift—12.

Nays—Senators Avinger, Ball, Finlay, Henry, Sayers, Shelley, Tendick, Tracy, Word and Mr. President—10.

SENATE CHAMBER,
AUSTIN, TEXAS, April 8, 1873. {

Senate met pursuant to adjournment. Roll called; quorum present. Prayer by the Rev Mr. Caperton.

On motion of Senator Henry, R. C. Hunt, assistant secretary, was excused for the day, on account of sickness.

Journal of yestaday read and adopted.

Senator Finlay presented a memorial from the citizens of De Witt and Victoria counties, praying for a fence law against stock, etc. Referred to Committee on Stock and Stock Raising.

Senator Avinger, chairman of the Committee on Counties and County Boundaries, submitted the following reports:

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Counties and County Boundaries, to whom was referred House bill No. 491, "An act to define the boundary line between the counties of Kendall and Kerr, have duly considered the same, and instruct me to report it back, and recommend that it do not pass.

H. J. AVINGER, Chairman.

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Counties and County Boundaries, to whom was referred Senate bill No. 171, a bill to be entitled "An act to define and establish the boundary line between the counties of Live Oak and Nueces," have carefully considered the same, and instructed me to report it back and recommend its passage.

H. J. AVINGER, Chairman.

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Counties and County Boundaries, to whom was referred Senate bill No. 210, "An act

entitled an act to change the line between the counties of Burnet and Lampasas," have carefully considered the same, and have instructed me to report it back and recommend that it do pass.

H. J. AVINGER, Chairman.

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Counties and County Boundaries, to whom was referred various memorials and petitions asking and praying your honorable body to grant the formation of a new county out of Harris, Austin, Grimes and Montgomery have carefully considered the same, and have instructed me to return all the papers to your honorable body, and ask to be relieved from the further consideration of the same, believing that the interest of said memorialists would not be subserved by granting their petition.

H. J. AVINGER, Chairman.

Senator Dohoney, chairman of the Committee on Education, submitted the following reports:

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Education, to whom was referred House bill No. 340, to be entitled "An act to ascertain the amounts due the teachers of the public free schools of this State prior to the first day of March, A. D. 1873, and to provide for the payment of the same," have carefully considered the same, and instruct me to report it back to the Senate with the accompanying amendments, and recommend its passage.

E. L. DOHONEY, Chairman.

Amend section three by adding thereto the following words: "*Provided*, that the Comptroller shall not draw his warrants in favor of the teachers of any county for an aggregate sum greater than the amount apportioned to said county under the provisions of the second section of this act."

Amend section four by adding the following words: "And subject to the provisions of section three of this act."

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Education, to whom was re-committed substitute for House bill No. 14, to be entitled "An act to repeal section five of an act entitled an act to organize and maintain a system of public free schools in the State of Texas, approved April 24, 1871," have care-

fully considered the same, and instruct me to report it back and recommend its passage as amended in the Senate.

E. L. DOHONEY, Chairman.

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Education, to whom was referred Senate joint resolution No. 29, to appoint three commissioners to examine and report the most eligible site for the permanent establishment of the Agricultural and Mechanical College of Texas, have carefully considered the same, and instruct me to report it back with the accompanying amendments and recommend its passage.

E. L. DOHONEY, Chairman.

Amend section two, line one, by filling blank with the words "six hundred."

Amend same section by adding thereto the words "upon making the report required by this act."

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Education, to whom was re-committed House bill No. 161, to be entitled "An act to abolish the offices of supervisors and inspectors of public schools," have carefully considered the same, and instruct me to report the bill back, with the recommendation that it do pass, with the amendments heretofore recommended by this committee.

E. L. DOHONEY, Chairman.

Senator Swift made the following reports:

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Claims and Accounts, to whom was referred House bill No. 263, "An act making an appropriation to pay the salary of Hon. Lipscomb Norvell, as special judge of the District Court of Tyler county," have had the same under careful consideration, and I am instructed to report it back to the Senate, and recommend its passage.

W. H. SWIFT, Chairman.

Hon. E. B. Pickett, President of the Senate:

SIR: Your special committee on the apportionment of Senatorial and Representative Districts, to whom was referred Senate bill No. 212, "An act making a new apportionment of the Representative and Senatorial Districts of the State of Texas," have authorized me to report back said bill, with the accompanying substitute, and recommend the adoption of the substitute.

W. H. SWIFT, Chairman.

Substitute read first time.

Senator Finlay, chairman of the Committee on State Affairs, reported as follows:

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on State Affairs, to whom was referred House bill No. 210, entitled "An act to incorporate Whitesboro, in Grayson county," having carefully considered the same, I am instructed to report it back to the Senate and recommend its passage, with the following amendments:

Strike out in section three the following words: "He shall have such criminal jurisdiction within the limits of the corporation as is conferred by law upon justices of the peace, charging like fees for his services, and subject, in his judicial acts, to the same revisory powers."

Strike out all after the word "peace," in the sixth line of section four, and insert, "who shall, within ten days after the election, deliver to the mayor, aldermen, and other officers elected under this charter, certificates of election, preserving an account of his proceedings therein among the records of his court."

GEO. P. FINLAY, Chairman.

On motion of Senator Broughton, the bill No. 210 was taken up and referred to Judiciary Committee No. 2.

Senator King reported as follows:

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Engrossed Bills have examined and find correctly engrossed the following bills:

Senate bill No. 149, "An act to amend an act entitled an act to incorporate the German Casino of Columbus, Texas."

Senate bill No. 161, "An act to incorporate the Kaufman County Agricultural, Mechanical and Blood Stock Association."

Senate bill No. 10, "An act for the relief of the heirs of Luke A. Falvel, deceased."

HENRY C. KING, Chairman.

Senator Latimer reported as follows:

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Enrolled Bills beg leave to report that they have examined and carefully compared Senate bill No. 96, "An act to amend an act entitled an act to incorporate the town of Bonham, in Fannin county, approved August 13, 1870," and find the same correctly enrolled.

H. R. LATIMER, Chairman.

Senator Rawson, by leave, introduced a bill amendatory of "An act to organize and incorporate the Marshall, Texas, and Mansfield, Louisiana, Railroad Company," approved April 27, 1871. Read first time and referred to Committee on Internal Improvements.

A message was received from the House informing the Senate that the House had adopted the following concurrent resolution :

Resolved by the House of Representatives, the Senate concurring, That a joint committee be raised, whose duty it shall be to take into consideration the question of a general election during the present year, and that said committee report by bill or otherwise.

Also, of the passage of the following House bills :

House bill No. 580, "An act to incorporate the town of Decatur, in Wise county."

House bill No. 133, "An act to accurately define the land district of Palo Pinto, and to make valid the surveys and locations heretofore made therein."

House bill No. 59, "An act to prohibit the sale of intoxicating liquors within two miles of Vernia Male and Female High School."

House bill No. 588, "An act to authorize the Police Court of Jasper county to levy and collect a special tax for the purpose of building a jail."

House bill No. 388, "An act to provide for an election to permanently locate the county seat of Hill county."

House bill No. 498, "An act for the relief of the heirs of Charles Forrester."

Also, that the House had passed Senate bill No. 44, "An act to incorporate a company to be styled the Palestine Fire Company," with amendments by the House.

Senator Henry, by leave, introduced a bill to authorize Zimri Tate to construct a toll bridge over the Sabine river. Read first time and referred to Judiciary Committee No. 1.

Also, a bill to incorporate the town of Zavala, in Smith county. Read first time and referred to Judiciary Committee No. 1.

Senator Shelley presented, by leave, the memorial of the teachers of public schools. Referred to Committee on Education.

Also, introduced a bill to prevent the sale of intoxicating liquors within three miles of Palo Alto Institute, in Bell county. Read first time and referred to Committee on State Affairs.

Senator Dohoney introduced, by leave, a bill to authorize the County Court of Lamar county to take a vote upon the proposition to sell the old court house and jail and grounds on which they are situated. Read first time and referred to Judiciary Committee No. 1.

Senator Finlay, by leave, introduced "An act to incorporate the Texas Silver and Copper Mining, Smelting and Manufacturing Company." Read first time and referred to the Committee on Internal Improvements.

Senator Shelley, by leave, offered the following resolution:

Resolved, That the committees on Public Buildings and Finance be required to visit and examine the buildings and grounds of the different asylums, and report their condition and the repairs necessary therefor at as early a day as practicable.

On motion of Senator Dohoney, the rule was suspended, and House bill No. 340, "An act to ascertain the amount due the teachers of the public free schools prior to the first day of March, 1873, and to provide for the payment of the same," with a report from the Committee on Education recommending amendments, were taken up, and amendments by the committee adopted.

The hour for the special order having arrived, on motion of Senator Shelley it was postponed for five minutes.

The pending bill (House bill No. 340) was made the special order of the day for Thursday next, at 11:30 o'clock, and one hundred copies ordered printed.

A bill for the relief of the widow and heirs of W. A. Smith, deceased, was taken up. Pending a consideration of the bill, the five minutes having expired, the Senate took up the special order, viz., Senate bill No. 38, to confer additional jurisdiction on presiding justices of the peace, etc.

On motion of Senator Dohoney, the bill was made the special order for Thursday next at 10:30 A. M.

On motion of Senator Flanagan, the Senate went into committee of the whole on the school bill.

Senator Flanagan in the chair.

The President in the chair to receive a message from the House informing the Senate of the passage by the House of the following House bills:

House bill No. 234, "An act to encourage stock raising, and for the protection of stock-raisers."

House bill No. 646, "An act to incorporate the Middle Texas Fair Association."

The Senate again went into committee of the whole on the school bill.

The committee of the whole rose, reported progress, and asked leave to sit again at 11:30 A. M. to-morrow.

On motion, the Senate adjourned till 10 o'clock to-morrow.

SENATE CHAMBER,

AUSTIN, TEXAS, April 9, 1873. }

Senate met pursuant to adjournment. Roll called; quorum present. Prayer by the chaplain.

Journal of yesterday read and adopted.

On motion of Senator Avinger, the reading of the journal of yesterday was dispensed with.

Senator Latimer presented the petition of S. F. Minton, which was referred to Committee on Private Land Claims.

Senator Henry presented the petition of R. S. Walker. Referred to Committee on Finance.

Senator Latimer, chairman of Committee on Enrolled Bills, submitted the following report:

Hon. E. B. Pickett, President of the Senate:

SIR: I beg leave to report that I did, on yesterday, at 11 o'clock A. M., present to his Excellency the Governor, for his signature and approval, Senate bill No. 96, "An act to amend an act entitled an act to incorporate the town of Bonham, in Fannin county, approved August 13, 1870."

H. R. LATIMER, Chairman.

Senator Finlay, chairman of Committee on State Affairs, reported as follows:

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Judiciary No. 2, to whom was referred House bill No. 180, to be entitled "An act to define and regulate the punishment of theft," having carefully considered the same, I am instructed to report it back to the Senate, and recommend its passage.

GEO. P. FINLAY, Chairman.

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on State Affairs, to whom was